

REMARKS

Claims 10, 14-20, 23-35 and 37 were previously pending in this application. Claim 37 has been amended. New claim 38 has been added. As a result claims 10, 14-20, 23-35 and 37-38 are pending for examination with claims 10, 16, 20, 25, 29, 30, 34, 37 and 38 being independent claims. No new matter has been added.

Claim Objection

Claim 37 has been amended to change “reference block” to read “reference black.” As indicated by the Examiner, the phrase “reference block” was a typographical error that should have read “reference black.”

Rejections Under 35 U.S.C. §102

Claim 37 has been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,144,408 to MacLean (hereinafter MacLean).

Applicant respectfully traverses the rejections, as follows.

The Examiner has characterized MacLean as disclosing the subject matter recited in claim 37, by combining the disclosures of Figs. 2 and 4 with the discussion in col. 1, lines 47-65 and col. 3, lines 57-67. Applicant respectfully disagrees with the Examiner’s characterization, as now explained.

First, the Examiner characterizes the entirety of Fig. 4 as a sample and hold circuit. However, the circuit of Fig. 4 does not function as a sample and hold circuit. Rather, as stated in the brief description of the drawings, “Fig. 4 is a block diagram of an electronic imaging device employing black pattern correction according to the invention.” Beginning at col. 3, line 38, the detailed structure of the imaging device shown in Fig. 4 is discussed. As discussed in detail, therein, the imaging device of Fig. 4 captures a sequence of images which are sequentially transferred to an external computer, but no mention or discussion of a sample and hold function is found therein. Moreover, even if a sample and hold circuit is assumed to be used in connection with implementing the circuits of Fig. 4, an assumption that is supported by no explicit or implicit statement in MacLean, several other elements of claim 37 are not disclosed in MacLean.

The Examiner has identified memory 36 of MacLean as corresponding to two different elements of claim 37, one explicit and one implicit. Explicitly, the Examiner identifies the memory 36 as corresponding to the one claimed storage element of the sample and hold circuit. However, the memory 36 of MacLean does not hold the sequence of “a sample of the photo signal representative of incident light intensity and a sample of the photo signal representative of a reference black level” as recited by the claim. Rather, as described in col. 3, lines 66 and 67, memory 36 holds a sequence of difference frames created after performing correlated double sampling in analog processing unit 32 of MacLean. The function of analog processing unit 32 is described in MacLean at col. 3, lines 57-67.

Claim 37 recites an output circuit, which computes a difference between sequential input signals, and “having an output representative of a difference between the incident light intensity and the reference black level,” which corresponds to the description of at least one function of analog processing unit 32 of MacLean. Thus, the output of the analog processing unit 32 of MacLean, which corresponds to the output of the claim, provides the input to memory 36 of MacLean. Therefore, the memory 36 stores the output sequence produced. Implicit in the description of MacLean, the memory 36 of MacLean cannot both be storing the sample of incident light intensity and the sample of reference black, and also be the output storage device holding the sequence of difference frames. Therefore, memory 36 cannot correspond to a storage element of claim 37.

Absent the correspondence of the elements suggested by the Examiner, MacLean does not possess or disclose elements corresponding to the claimed subject matter. There is no way to map the claim onto MacLean, and so claim 37 cannot be anticipated by MacLean.

Accordingly, withdrawal of this rejection is respectfully requested.

New Claim

New claim 38 has been added to more fully define the Applicant’s contribution to the art. Claim 38 combines storing on the same storage element, at different times, the incident light signal and the reference black signal, and in a separate act computing a difference between the values stored at the different times, to produce an improved photo signal output. None of the art presently of record discloses, teaches or suggests such a method.

Allowable Subject Matter

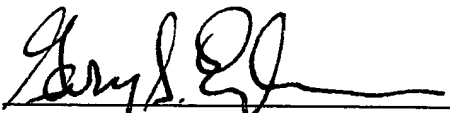
Applicant thanks the Examiner for the indication of allowance of claims 10, 14-20 and 23-25.

CONCLUSION

In view of the foregoing amendments and remarks, reconsideration is respectfully requested. This application should now be in condition for allowance; a notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50/2762.

Respectfully submitted,
Kevin Brehmer et al., Applicant

By: 

Gary S. Engelson, Reg. No. 35,128
LOWRIE, LANDO & ANASTASI, LLP
One Main Street
Cambridge, Massachusetts 02142
Telephone: 617-395-7000
Facsimile: 617-395-7070

Date: December 20, 2005

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